BRIEF TO THE HOUSE OF COMMONS

SPECIAL COMMITTEE ON THE DISABLED AND THE HANDICAPPED

Submitted

by the

FEDERATION OF CANADIAN MUNICIPALITIES

SUMMARY OF RECOMMENDATIONS

1. The Federation of Canadian Municipalities recommends that the federal government amend the Canadian Human Rights Act to prohibit discrimination against disabled and handicapped persons in provision of goods, services, facilities or accommodation customarily available to the general public.

2. The Federation of Canadian Municipalities recommends that the federal government, in conjunction with its agency, Employment and Immigration Canada, and in cooperation with provincial and municipal levels of government, actively pursue affirmative action employment policies with respect to disabled and handicapped persons.

3. The Federation of Canadian Municipalities recommends that the federal government accord higher financial priority to the operation of vocational rehabilitation programs and that, in cooperation with the provinces, it provide incentive grants and attitude change campaigns for employers to develop employment opportunities in the private sector.

4. The Federation of Canadian Municipalities recommends that an income tax incentive be provided for renovation of existing commercial, industrial, and business buildings to remove architectural barriers and to make the premises accessible to and usable by disabled and handicapped persons.

5. The Federation of Canadian Municipalities recommends that, in conjunction with the provinces and under the Vocational Rehabilitation of Disabled Persons Act, job-related assistance devices be provided when needed by disabled and handicapped persons.

6. The Federation of Canadian Municipalities recommends that the federal government, in cooperation with the provinces, rationalize its system of disability income to meet more adequately the needs of all disabled and handicapped persons no matter what the nature of their disability.

7. The Federation of Canadian Municipalities recommends that the federal government develop, in conjunction with the provinces, a program to to cover the cost, adjustment, replacement and repair of essential equipment required by disabled and handicapped persons so that such aids are equally available to all such citizens of Canada.

8. The Federation of Canadian Municipalities recommends that the federal government initiate provision of long-term personal care services (in cooperation with the provinces) through such social service legislation as the Canada Assistance Plan and/or the Vocational Rehabilitation of Disabled Persons Act so that, where possible, disabled or handicapped persons are able to live independently.

9. The Federation of Canadian Municipalities recommends that the federal government continue research on the development of building standards to meet the requirements of disabled and handicapped persons. The National Building Code should be revised to provide for building access to disabled and handicapped persons.

10. The Federation of Canadian Municipalities recommends that the federal government issue statistical information and descriptive reports on a regular basis, so that each level of government is aware of how effectively programs for disabled and handicapped persons are operating.

11. The Federation of Canadian Municipalities recommends that the federal government, through Transport Canada and VIA Rail Canada, initiate discussion with the Canadian Urban Transit Association to investigate the development and design of accessible and usable urban public transit systems in all provinces so that self-reliant disabled and handicapped persons may avail themselves of these services.

12. The Federation of Canadian Municipalities recommends that the federal government request that the National Research Council of Canada's Standing Committee on Building Standards for the Handicapped and the Canada Mortgage and Housing Corporation conduct further studies on the design of residential accommodation incorporating the requirements for disabled and handicapped persons with the purpose of amending the National Building Code and its residential standards to permit the integration of disabled and handicapped persons in multi-family apartment buildings.

13. The Federation of Canadian Municipalities recommends that the federal government, in cooperation with the provinces, develop an effective home modification/renovation program to allow disabled and handicapped persons, regardless of age or cause of disability, to live in their own homes where possible.

Statistical Background

Statistical information on disabled and handicapped persons in Canada is generally not as readily available as it is, for example, in the United States. A recent report, "Data Base Study for the Identification and Quantification of Transportation-Handicapped Persons in Canada" by the Urban Transportation Branch of the Canadian Surface Transportation Administration published by Transport Canada in July, 1979, is useful, however, since it deals specifically with mobility impairments. It quantifies hearing impairments, visual impairments, persons who use mechanical aids such as braces, crutches or a walker, persons in wheelchairs and the ambulatory disabled. This information is not applicable only to transportation, but can also apply to other areas, such as housing, employment facilities and community services, where architectural barriers may confront the disabled and handicapped.

In 1976, Canada had a population of close to 23 million people, of whom 15.7 million are the target population, that is, persons 5 years of age and over living in urban areas and not resident in institutions or collective households (with ten or more persons). The number of handicapped people living in collective households is not known. Handicapped persons living in such households (institutions, hotels, hospitals, nursing homes, jails, missions, hostels) are, however, an important consideration, in view of the current trend towards deinstitutionalization for disabled and handicapped people.

It is estimated that, in 1976, there were:

46,000	Canadians who use a wheelchair
191,000	Canadians who use a mechanical aid such as crutches, canes, a walker, or artificial limbs
164,000	Canadians with a vision impairment
161,000	Canadians with a hearing impairment
362,000	Canadians who were ambulatory but had difficulty in walking, going up and down stairs, stooping, kneeling, etc.

The number of persons with mobility handicaps exceeds the estimated number of 781,159 people with these impairments since some are covered in more than one category.

Civil Rights

The Canadian Human Rights Act of 1977 only prohibits discrimination against disabled or handicapped persons with respect to employment. Section 22(1)(h), however, encourages the federal Human Rights Commission to develop and improve "the arrangements for...handicapped persons to have

access to goods, services, facilities and accommodation that are customarily available to other persons."

1. *Therefore, the Federation of Canadian Municipalities recommends that the federal government amend the Canadian Human Rights Act to prohibit discrimination against disabled and handicapped persons in provision of goods, services, facilities or accommocation customarily available to the general public.*

Employment Opportunities

In 1976, the unemployment rate for disabled and handicapped people was an estimated 50 *per cent*, whereas the general unemployment rate was 7.6 *per cent*.

Although the federal government has initiated an affirmative action program to hire physically handicapped persons in the Public Service. To extend such policies,

2. *the Federation of Canadian Municipalities recommends that the federal government, in conjunction with its agency, Employment and Immigration Canada, in cooperation with provincial and municipal levels of government, actively pursue affirmative action employment policies with respect to disabled and handicapped persons.*

Vocational Training

Studies in British Columbia and Saskatchewan have established that vocational rehabilitation programs under the Vocational Rehabilitation of Disabled Persons Act are a financially worthwhile community investment in developing the independence of disabled and handicapped people. Some of these programs have been criticized, however, because the resources allocated are insufficient, and because some disabled or handicapped persons find that, upon completion of a rehabilitation program, no-one will employ them.

3. *Therefore, the Federation of Canadian Municipalities recommends that the federal government accord higher financial priority to the operation of vocational rehabilitation programs and that, in cooperation with the provinces, it provide incentive grants and attitude change campaigns for employers to develop employment opportunities in the private sector.*

Business Incentives

To ensure the more widespread employment of disabled and handicapped persons, incentives to business should take two forms:

4. *The Federation of Canadian Municipalities recommends that an income tax incentive be provided for renovation of existing commercial, industrial, and business buildings to remove architectural barriers and to make the premises accessible to and usable by disabled and handicapped persons.*

5. *The Federation of Canadian Municipalities recommends that, in conjunction with the provinces and under the Vocational Rehabilitation of Disabled Persons Act, job-related assistance devices be provided when needed by disabled and handicapped persons.*

Income Supplement Programs

Access to a disability income at present is determined not by the fact of disability, but by its cause. While the degree of disability may be the same, there can be a markedly different outcome for a disabled or handicapped person, depending on whether his disability is caused by war, work, a road accident or a crime, or whether it fits into none of these categories.

6. *The Federation of Canadian Municipalities recommends that the federal government, in cooperation with the provinces, rationalize its system of disability income to meet more adequately the needs of all disabled and handicapped persons no matter what the nature of their disability.*

Health Services and Medical Rehabilitation

In Canada, health services and medical rehabilitation are generally provided under one of four plans: the Workmen's Compensation system, the Veterans' system, the children's system and the system for adults not disabled at work or in a war. It may now be time to consider the rationale of these separate health and medical rehabilitation delivery systems.

In 1973, the Ontario Task Force on the Administration of Workmen's Compensation in Ontario questionned whether the program (should) continue to be delivered by the Workmen's Compensation Board or within the general health care delivery programs of the province. The same year, in British Columbia, the Foulkes Report said that the multiplicity of systems in the province ought to be brought together, but that this should be delayed until other systems could be brought up to the level of the Workmen's Compensation Board. Arrangements for amalgamating a superior with an inferior service would downgrade the former.

The provision of technical aids, and other essential means of daily functioning for disabled and handicapped persons should be an integral part of the medical rehabilitation system. This is currently the case for

persons covered by the Veterans' or Workmen's Compensation systems. In Ontario a child under 18 years of age is served by the Ontario Crippled Children's Society with funds raised by service clubs. A disabled or handicapped person who has the potential for gainful employment can turn to the Ministry of Community and Social Services and Vocational Rehabilitation Services. Some people are covered by company insurance plans, while the remainder turn to private non-profit agencies such as the Red Cross or March of Dimes.

The view that aids to daily living ought to be provided for disabled and handicapped persons under health insurance was recommended to the federal government as long ago as 1964 by the federal Royal Commission on Health Services. In 1970, the Ontario Council of Health recommended that payment for appliances prescribed by a physician and needed by the patient for his functional rehabilitation should be available equally to all citizens of Ontario under the Ontario Health Services Insurance Plan.

To date, only two provinces, Saskatchewan and Quebec, have included all essential items under health insurance. Manitoba has had a partial plan since 1971.

7. *Therefore, the Federation of Canadian Municipalities recommends that the federal government develop, in conjunction with the provinces, a program to cover the cost, adjustment, replacement and repair of essential equipment required by disabled and handicapped persons so that such aids are equally available to all such citizens of Canada.*

Community Support Services

The 1979 report, "A Cost-Benefit Analysis of Accessibility", issued by the Office of Policy Development and Research, of the U. S. Department of Housing and Urban Development, estimates that in 1966, 1.5 *per cent* of the total non-institutionalized disabled and handicapped population between the ages of 18 and 64 years needed help with personal care or mobility. In Canada, approximately 51 *per cent* of the non-institutionalized disabled and handicapped population is between the ages of 25 and 65. Therefore, an estimated 117,750 persons in Canada need help in personal care or mobility. It should be noted, however, that the extent of personal care needed will vary widely.

A significant number of disabled and handicapped persons who are knowledgeable about their own health care needs seek the right, as citizens, to direct their own lives and to participate freely in the day-to-day life of the community. They believe that, where long-term attendant care is needed, where it is essential to an individual's functional status and capacity, they should receive these services as a right.

Most disabled and handicapped persons requiring support care do not believe that it should be a medical service. Rather, it should be a social service where the disabled or handicapped person directs and manages personal care, since it is critical to his sense of self-worth and independence.

8. *Therefore, the Federation of Canadian Municipalities recommends that the federal government initiate provision of long-term personal care services (in cooperation with the provinces) through such social service legislation as the Canada Assistance Plan and/or the Vocational Rehabilitation of Disabled Persons Act so that, where possible, disabled or handicapped persons are able to live independently.*

Access to Public Buildings and Services

Many new public buildings in Canada have been constructed to be accessible to and usable by disabled and handicapped persons. Commendably, the federal government has initiated a renovation programs for their existing buildings so that, by 1983, they will be accessible to disabled and handicapped individuals.

However, not all public buildings, as classified in the building occupancy table of the National Building Code, are covered as regards access and usability by disabled and handicapped persons.

The provinces vary extensively in the types of public buildings covered. The recently-passed Part 10 of the British Columbia Building Code (1979) is the most comprehensive legislation. Ontario's Building Code, Part 5, which deals with provisions for the handicapped, is under active review.

It should be borne in mind when considering building standards, that the streets, sidewalks, parks and parking lots are also part of the built environment and should be constructed or renovated to ensure unhindered movement by disabled and handicapped persons.

9. *Therefore, the Federation of Canadian Municipalities recommends that the federal government continue research on the development of building standards to meet the requirements of disabled and handicapped persons. The National Building Code should be revised to provide for building access to disabled and handicapped persons.*

Coordination Within and Among Jurisdictions

Each of the sections with recommendations in this submission to the Special Committee on the Disabled and Handicapped requires coordination within and among jurisdictions, federal, provincial and municipal, if adequate cost-effective programs for disabled and handicapped people are to be implemented.

10. *Therefore, the Federation of Canadian Municipalities recommends that the federal government issue statistical information and descriptive reports on a regular basis, so that each level of government is aware of how effectively programs for disabled and handicapped persons are operating.*

Transportation

The Data Base Study for the Identification and Quantification of Transportation-Handicapped Persons in Canada, 1979, estimates that there are 781,159 such persons in this country.

As noted earlier in this submission, this number can be divided into approximately 46,000 in wheelchairs, 191,000 who use mechanical aids, 164,000 with vision impairments, 161,000 with hearing impairments and 362,000 with other mobility difficulties such as in walking, or going up and down stairs.

In April, 1980, the Canadian Transport Commission ruled that a self-reliant person in a wheelchair must be carried by VIA Rail Canada Incorporated even if that persons is not accompanied by an attendant.

We understand that VIA Rail has plans for a mechanical access system to be installed either on the carriage vehicle or on the station platform, and a design for a least one train washroom which will be accessible to a person in a wheelchair.

It appears that VIA Rail, specifically, and Transport Canada, generally, are developing the knowledge and expertise to design public transit vehicles to transport mobility-impaired persons efficiently and safely.

11. *The Federation of Canadian Municipalities recommends that the federal government, through Transport Canada and VIA Rail Canada, initiate discussion with the Canadian Urban Transit Association to investigate the development and design of accessible and usable urban public transit systems in all provinces so that self-reliant disabled and handicapped persons may avail themselves of these services.*

Housing

The housing needs of disabled and handicapped persons present a challenge.

Disabled or handicapped persons who are hindered in their use of public transportation are usually confronted, too, with architectural obstructions in their own homes.

There are 763,000 people in Canada above the age of five years living in urban areas who are poorly housed with respect to the design of

their homes. This represents a serious impairment of functional capability in the daily lives of these people.

How may this problem be tackled? First, the development of building design standards should provide for adaptability to the requirements of disabled and handicapped persons seeking accommodation in newly-built, multi-family housing. Secondly, the establishment of an effective home renovation program for single family dwellings should be accorded priority.

While the Canada Mortgage and Housing Corporation has addressed the subject of adaptable housing in a book on housing the handicapped and in Supplement Number Five to the National Building Code, provincial building codes, in general, do not provide for usable dwelling units in multi-family apartment buildings for disabled and handicapped persons.

Ontario, Quebec, Manitoba and British Columbia specifically provide access, entry and use of common spaces in apartment buildings under the terms of their building codes. In Ontario and Alberta, multi-family housing built by a public authority may provide special wheelchair-use suites. Ontario has generally applied this criterion to provide some suites in senior citizen buildings.

The problem appears to lie in the design and layout of the presently proposed "handicapped" suite as well as in the cost implications of providing this type of accommodation in new multi-family apartment buildings in the provinces.

As mentioned, the second approach to providing housing for the handicapped should be the development of a home renovation program for private single-family dwellings where disabled handicapped individuals live.

In Ontario, the Workmen's Compensation Board has a good program, as has the Department of Veterans' Affairs. For handicapped persons not covered by either of these categories, there may be assistance with home renovations if they qualify under the Ontario Ministry of Community and Social Services or under the Vocational Rehabilitation Services Branch of the same Ministry. If the individual's municipality is part of the program and if the disabled or handicapped person is the homeowner, help may be received from the Ministry of Housing's Ontario Home Renewal Program. Thus, for many disabled and handicapped persons there may or may not be assistance for home renovation depending on the cause of disability and whether one qualifies for the Social Services or Ministry of Housing program.

Therefore, it is recommended that:

12. *The Federation of Canadian Municipalities recommends that the federal government request that the National Research Council of Canada's Standing Committee on Building Standards for the Handicapped and the Canada Mortgage and Housing Corporation conduct further studies on the design of residential accommodation incorporating the requirements for disabled and handicapped persons with the purpose of amending the National Building Code and its residential standards to permit the integration of disabled and handicapped persons in multi-family apartment buildings.*

13. *The Federation of Canadian Municipalities recommends that the federal government, in cooperation with the provinces, develop an effective home modification/renovation program to allow disabled and handicapped persons, regardless of age or cause of disability, to live in their own homes where possible.*

CONCLUSION

The Federation of Canadian Municipalities endorses the federal government's initiative in establishing a Special Committee on the Disabled and the Handicapped, and pledges its unqualified cooperation in efforts to improve the quality of life for disabled and handicapped persons in Canada.